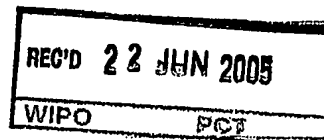


PT 12

PATENT COOPERATION TREATY



From the
INTERNATIONAL SEARCHING AUTHORITY

To:
Berglunds Patentbyrå AB
Aspebråten
590 54 Sturefors
Sverige

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 14 -06- 2005

Applicant's or agent's file reference
P0320PC

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/SE2005/000354

International filing date (day/month/year)
10.03.2005

Priority date (day/month/year)
12.03.2004

International Patent Classification (IPC) or both national classification and IPC
A47K 10/32, A47K 10/36

Applicant
Carlsson, Richard et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further opinions, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language, _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. IV Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/IPEA/206) to pay additional fees the applicant has:
- ☐ paid additional fees
- ☐ paid additional fees under protest
- ☐ Not paid additional fees
2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- ☐ Complied with
- ☒ Not Complied with for the following reasons:

The following separate inventions were identified:

I: Claims 1-5 directed to a paper dispensing device which includes means for spraying the paper with fluid.

II: Claims 6-7 directed to a paper dispensing device which includes means for perforating the paper.

III: Claims 8-15 directed to a paper dispensing device which includes means for motor driven dispensing of the paper. The invention according to claim 18 relates to a motor driven dispenser which includes a paper magazine that is refillable from below.

IV: Claim 16 directed to a paper for use in accordance with a paper dispensing device including means for the spraying of the paper with fluid. The paper can be used as toilet paper or as napkin or towel. The paper has a solving ability in water which makes it possible to be flushed down in the toilet after use.

.../...

4. Consequently, this opinion has been established in respect of the following parts of the international application:
- ☐ all parts
- ☐ the parts relating to claims Nos. _____

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX IV

A search has been carried out, which relates to the inventions I-IV mentioned above.

The applicant is not invited to pay additional fees for each of the inventions II-IV as listed above.

The present application has been considered to contain 4 inventions which are not linked such that they form a single general inventive concept, as required by Rule 13 PCT for the following reasons:

Claim 1 relates to the problem of wetting a tissue in a dispenser. This problem is solved by a spraying arrangement at the outlet of the paper.

Claim 6 relates to the problem of cutting the paper in a dispenser. This problem is solved by perforating means in a dispenser.

Claim 8 relates to the problem of dispensing the paper in a dispenser. This problem is solved by motor driven dispensing.

Claim 16 relates to a problem of use of a paper in a dispenser, which paper is suitable for using as both toilet and towel paper and which has a solving ability so that it can be flushed down after the use so that only one paper quality is needed. This problem is solved by choosing a paper which has these features.

As both problems and solutions are technically different, no single general concept can be formulated based on the technical features of the inventions. Consequently, the requirements of Rule 13.1 PCT are not met.

It was investigated under Rule 13.2 if any further features, either in the claims or derivable from the description, could be considered as a same or corresponding feature and which could be considered a special technical feature establishing a technical link between the groups II-IV of inventions.

No such features were identified.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: BOX IV

Consequently, the II-IV groups of inventions are not so linked as to form a single general inventive concept as required by Rule 13.1 PCT.

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1. Statement

Novelty (N)	Claims	<u>4, 5, 7, 11, 14, 17, 18</u>	YES
	Claims	<u>1-3, 6, 8-10, 12, 13, 15, 16</u>	NO
Inventive step (IS)	Claims	<u>4, 5, 7, 11, 14, 17, 18</u>	YES
	Claims	<u>1-3, 6, 8-10, 12, 13, 15, 16</u>	NO
Industrial applicability (IA)	Claims	<u>1-18</u>	YES
	Claims		NO

Invention I: The invention according to claims 1-5 relates to a paper dispensing device which includes means for spraying the paper with fluid.

Invention II: The invention according to claims 6-7 relates to a paper dispensing device which includes means for perforating the paper.

Invention III: The invention according to claims 8-15 relates to a paper dispensing device which includes means for motor driven dispensing of the paper. The invention according to claim 18 relates to a motor driven dispenser which includes a paper magazine that is refillable from below.

Invention IV: The invention according to claim 16 relates to a paper for use in accordance with a paper dispensing device including means for the spraying of the paper with fluid. The paper can be used as toilet paper or as napkin or towel. The paper has a solvability in water which makes it possible to be flushed down in the toilet after use.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

The following documents were cited in the International Search Report:

D1: DE 29903245 U1
D2: US 5265509 A
D3: WO 02074414 A1
D4: DE 19937881 A1
D5: US 20020113163 A1
D6: DE 3922159 A1
D7: WO 9304622 A1
D8: EP 0412169 A1
D9: DE 10147702 A1

Invention I

Claim 1

Each of the documents D1-D7 shows a dispensing device for paper including means for spraying the paper with a fluid arranged at the outlet of the paper so that only the paper becomes wet.

The invention according to claim 1 is not novel, does not involve an inventive step but is industrially applicable.

Claims 2 and 3

Each of the documents D1 and D4 further shows that the paper outlet is downwards so, that the paper during the spraying hangs freely.

Each of the documents D1-D5 further shows that the paper is dispensed by a motor driven arrangement.

The invention according to claims 2 and 3 is not novel, does not involve an inventive step but is industrially applicable.

Invention II

Claim 6

Each of the documents D1 and D2 show a dispenser for paper which includes paper perforating means.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

The invention according to claim 6 is not novel, does not involve an inventive step but is industrially applicable.

Invention III

Claim 8

Each of the documents D1-D5 and D8 show a dispenser which includes means for motor driven dispensing of the paper.

The invention according to claim 8 is not novel, does not involve an inventive step but is industrially applicable.

Claims 9, 10, 12, 13, 15

Each of the documents D2 and D3 further shows that the dispenser is designed to use folded paper.

Each of the documents D1-D5 further shows a dispenser which includes means to spray water and / or soap, disinfecting agents etc on the dispensed paper.

Document D8 further shows a dispenser which is provided with a contact free activation.

Each of the documents D1-D3, D5 and D8 further shows that the dispenser includes a perforating or cutting device for the cutting of intended paper length.

Each of the documents D1 and D2 further shows that the dispenser includes a device for the perforation of the paper web which device includes a knife with a number of next to each other arranged knife tips with an intermediate small space so that the perforation with small bridges is obtained.

The invention according to claim 9, 10, 12, 13 and 15 is not novel, does not involve an inventive step but is industrially applicable.

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In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

Invention IV

The invention according to claim 16 is unclear, see further Box VIII.

Document D1 shows a dispensing device for paper including means for spraying the paper with a fluid arranged at the outlet of the paper so that only the paper becomes wet. It further uses tissue which can be sprayed with variety of liquids and therefore the tissue can be used as toilet paper as well as napkin. The tissue dissolves in water and therefore it can be flushed in the toilet.

The invention according to claim 16 is not novel, does not involve an inventive step and but has industrial applicability.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawing or on the question whether the claim are fully supported by the description, are made:

The invention according to claim 16 is unclear. It relates to a paper for the use in a device which includes means for the spraying of the paper with a fluid. The solving ability of the paper is chosen so that it can be flushed down the toilet. The claim does not include description of the technical features of the paper and the claim is therefore not clear and concise.

The claim 18 relates to a device, but it even refers to claim 16, which in turn describes a paper. Therefore the claim is unclear. The claim has been understood in such a way that it only refers to any of the claims 8-15.